IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.635 OF 2005

Santosh Nana Magdum ...Applicant

Versus

State of Maharashtra ...Respondent

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Mr.Abhinandan S.Vagyani for Applicant.

Mr.R.Y.Mirza, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

FEBRUARY 10, 2005.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The prosecution case is that the Applicant forcibly took away the complainant in an Ambassador Car and while proceeding, the villagers followed that car and accosted the Applicant and other persons in the car and got rescued the complainant. It is seen that co-accused have already been released on bail. Investigation is also complete

and charge-sheet has also been filed. It appears that the Applicant was in love with the Complainant, but there was no response from the Complainant.

3. Taking overall view of the matter and having regard to the fact that the Applicant is also distantly related to the complainant party, the Applicant is granted bail on following conditions:

(a) The Applicant is released on bail in connection with C.R.No.81 of 2004 registered with Kagal Police Station on executing personal bond in the sum of Rs.25,000/- (Rupees Twenty-five Thousand) with two local sureties in the like amount.

(b) The Applicant shall not enter the Village Bamani, Taluka Kagal, District Kolhapur, during the pendency of the trial. The Applicant shall inform his place of residence to the Investigating Officer within one week from the date of his release.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall extend full co-operation to the Trial Court for early disposal of the trial and if the Trial Court is of the opinion that the Applicant is responsible for the delay of the trial, that fact be recorded in the Roznama, which will be a ground for cancellation of bail.

4. Application disposed of on the above terms.

A.M.KHANWILKAR, J.